



## Legislation Details (With Text)

**File #:** 1582-2020      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 6/26/2020      **In control:** Public Service & Transportation Committee

**On agenda:** 7/20/2020      **Final action:** 7/23/2020

**Title:** To authorize Director of the Department of Public Service to execute those documents necessary to execute quit-claim encroachment easements for the Resurfacing-Urban Paving FRA-62-12.44 PID 106082 (Town Street Glenwood Avenue Rich Street) project; to authorize the City Attorney's Office to finalize the encroachment easements needed for the project; and to declare an emergency. (\$0.00)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 2020-04-30.FRA-62-12.44 Encroachment Easements - Revised

Date	Ver.	Action By	Action	Result
7/23/2020	1	CITY CLERK	Attest	
7/22/2020	1	MAYOR	Signed	
7/20/2020	1	COUNCIL PRESIDENT	Signed	
7/20/2020	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance authorizes the Director of the Department of Public Service to execute sixteen quit-claim encroachment easements (with reservations) and authorizes the City Attorney's Office to finalize the documents as part of the Resurfacing-Urban Paving FRA-62-12.44 PID 106082 (Town Street Glenwood Avenue Rich Street) project.

The City of Columbus and the Ohio Department of Transportation (ODOT) are partnered in the Resurfacing-Urban Paving FRA-62-12.44 PID 106082 (Town Street Glenwood Avenue Rich Street) project. The project will include repaving of the mainline travel lanes, spot curb replacement, and installation of ADA compliant curb ramps where needed. As part of the project the City of Columbus will execute sixteen quit-claim encroachment easements (with reservations) for the sole benefit of the Grantee's adjacent real property as per the terms and conditions listed in the quit-claim encroachments.

The principal parties and parcels are:

- Energy Smart, LLC, an Ohio limited liability company, Franklin County Tax Parcel(s): (010-012597-00)
- Forgnier, LLC, an Ohio limited liability company, Franklin County Tax Parcel(s): (010-034512-00)
- Savory Estates, LLC, an Illinois limited liability company, Franklin County Tax Parcel(s): (010-032214-00)
- Essayas OL, LLC, a Domestic limited liability company, Franklin County Tax Parcel(s): (010-042654-00)
- Emanuel Dolph and Candace A. Dolph, an Ohio resident, Franklin County Tax Parcel(s): (010-042555-00)
- Michael W Vallangeon and Dana S. Vallangeon, an Ohio resident, Franklin County Tax Parcel(s): (010-010354-00),
- Channa Hay, an Ohio resident, Franklin County Tax Parcel(s): (010-007302-00)
- Invest in Homes, LLC, an Ohio limited liability company, Franklin County Tax Parcel(s): (010-003195-00)
- Victor A. Golowin, an Ohio resident, Franklin County Tax Parcel(s): (010-046339-00)
- Geoffrey M. Ryan, an Ohio resident, Franklin County Tax Parcel(s): (010-018544-00)
- Robert Hughes, Successor Trustee of the HEMI Hughes Family Trust 4, Franklin County Tax Parcel(s): (010-004579-00)

- Friends of Franklinton, LLC, an Ohio limited liability company, Franklin County Tax Parcel(s): (010-022400-00)
- Supra Investments, LLC, an Ohio limited liability company, Franklin County Tax Parcel(s): (010-037276-00)
- David A. Seeser, an Ohio resident, Franklin County Tax Parcel(s): (010-042644-00)
- Patrick Larrimer, Francis Davis III, and Brett Greogory, an Ohio resident, Franklin County Tax Parcel(s): (010-054054-00)
- Shing-Mei Kelly, Trustee, Franklin County Tax Parcel(s): (010-039411-00)

The full description of the aforementioned parcels are listed in the exhibit attached to the legislation.

## **2. FISCAL IMPACT**

There is not an expenditure associated with this ordinance.

## **3. EMERGENCY JUSTIFICATION**

Emergency action is requested to establish the needed quit-claim encroachment easements as soon as possible in order to prevent delays to the construction schedule.

To authorize Director of the Department of Public Service to execute those documents necessary to execute quit-claim encroachment easements for the Resurfacing-Urban Paving FRA-62-12.44 PID 106082 (Town Street Glenwood Avenue Rich Street) project; to authorize the City Attorney's Office to finalize the encroachment easements needed for the project; and to declare an emergency. (\$0.00)

**WHEREAS**, the City of Columbus and the Ohio Department of Transportation (ODOT) are involved in a joint project, the Resurfacing-Urban Paving FRA-62-12.44 PID 106082 (Town Street Glenwood Avenue Rich Street) project; and

**WHEREAS**, sixteen quit-claim encroachment easements (with reservations) need to be executed before construction can begin on the project; and

**WHEREAS**, the Director of Public Service will execute the required quit-claim deeds on behalf of the City if authorized by Council to do so; and

**WHEREAS**, the City Attorney's Office will contact the property owners to finish executing the aforementioned documents and finalize the encroachment easements; and

**WHEREAS**, an emergency exists in the usual daily operations of the Department of Public Service in that it is immediately necessary to establish the needed quit-claim encroachment easements as soon as possible in order to prevent delays to the construction schedule, thereby preserving the public health, peace, property, safety, and welfare; **now, therefore**

## **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of the Department of Public Service be and is hereby authorized to execute sixteen quit-claim encroachment easements (with reservations) for the Resurfacing-Urban Paving FRA-62-12.44 PID 106082 (Town Street Glenwood Avenue Rich Street) project, to provide documents to the City Attorney's Office for contacting those property owners to execute the aforementioned documents, and for the City Attorney's Office to take other actions needed to finalize the encroachment easements.

**SECTION 2.** That the aforementioned parcels and principal parties are described in the attached quit-claim encroachment easement paperwork.

**SECTION 3.** That the sixteen quit-claim encroachment easements (with reservations) are to be performed for the sole benefit of Grantee's adjacent real property as per the terms and conditions as listed in the quit-claim encroachments at no cost.

**SECTION 4.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.